

CHAPTER 20. DEFINITIONS

SECTION 20.1. WORD INTERPRETATION

The following rules shall apply for construing or interpreting the terms and provisions of this Ordinance.

A. MEANINGS AND INTENT

1. All provisions, terms, phrases, and expressions contained in this Ordinance shall be interpreted in accordance with the general purposes set forth in Section 1.4 Purpose, and the specific purpose statements set forth throughout this Ordinance.
2. When a specific section of these regulations gives a different meaning than the general definition provided in Section 20.2, Definitions, the specific section's meaning and application of the term shall control.
3. Terms that are not defined are subject to their common or customary meaning.

B. HEADINGS, ILLUSTRATIONS, AND TEXT

1. In the event of a conflict or inconsistency between the text of this Ordinance and any heading, caption, figure, illustration, table, or map, the text shall control.
2. Graphics and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.

C. LISTS AND EXAMPLES

Unless otherwise specifically indicated, lists of items or examples that use terms like "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

D. COMPUTATION OF TIME

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the County, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the County.

E. TIME-RELATED LANGUAGE

1. Whenever certain hours are named, they shall mean standard time or daylight savings time as may be in current use by the County.
2. The term "day" means a calendar day, or any day during a week, including business days and weekend days.
3. The term "holiday" means a legal holiday recognized by the County.
4. The term "week" means five business days and two weekend days. Weeks commence on a Monday.
5. The term "month" means a calendar month.
6. The term "year" means a calendar year.
7. The term "temporary" shall mean a condition lasting for only a limited period of time; not permanent.

F. REFERENCES TO THIS ORDINANCE

A reference to an article, section, sub-section, or paragraph means an article, section, sub-section, or paragraph of this Ordinance, unless otherwise specified.

G. REFERENCES TO OTHER ORDINANCES OR PUBLICATIONS

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition or adopted version of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

H. REFERENCES TO NORTH CAROLINA GENERAL STATUTES

Whenever any provision of this Ordinance refers to or cites a section of the North Carolina General Statutes and that section is later amended or superseded, this Ordinance shall be deemed amended to refer to the amended section.

I. DELEGATION OF AUTHORITY

Whenever a provision of this Ordinance requires or authorizes an officer or employee of the County to do some act or perform some duty, the officer or employee may designate, delegate, or authorize subordinates to perform the act or duty unless the terms of the provision specifically provide otherwise.

J. JOINT AUTHORITY

All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

K. TECHNICAL AND NON-TECHNICAL TERMS

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

L. PUBLIC OFFICIALS AND AGENCIES

All public officials, bodies, and agencies to which references are made are those of Moore County, unless otherwise indicated.

M. MANDATORY AND DISCRETIONARY TERMS

The words "shall," "must," and "will" are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words "may," "can," and "should" are permissive in nature.

N. CONJUNCTIONS

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items, conditions, provisions or events apply.
2. "Or" indicates that one or more of the connected items, conditions, provisions, or events apply.

O. TENSES, PLURALS, AND GENDER

1. Words used in the past or present tense include the future tense as well as the past and present.
2. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise.
3. Words used in the masculine gender include the feminine gender and the neuter, and vice versa.

P. OATH

The term "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in like cases the terms "swear" and "sworn" shall be equivalent to the terms "affirm" and "affirmed."

Q. TERM NOT DEFINED

If a term used in any article of this Ordinance is not defined, the Administrator is authorized to interpret the term in accordance with Section 4.3, Determinations, based upon the definitions used in professionally accepted sources.

SECTION 20.2. - DEFINITIONS

The table below defines the terms used in this Ordinance.

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TERM	DEFINITION
A	
ABANDON	To cease from actively using land, or any premises for its intended use for a time period greater than specified.
ABUTTING	Having property or district lines in common; i.e., two lots are abutting if they have property lines in common. Lots are also considered to be abutting if they are directly opposite each other and separated by a street, alley, railroad right-of-way, or stream.
ACCESS EASEMENT	An easement which grants the right to cross land.
ACCESSIBLE PARKING SPACE	An off-street parking space provided for the exclusive use of vehicles serving disabled persons.
ACCESSORY DWELLING UNIT	A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit but located in a detached structure or within the same structure as the principal dwelling unit.
ACCESSWAY	A paved or unpaved travel way intended to serve vehicles for the purposes of obtaining ingress, egress, or circulation around a lot or site. Subdivisions of up to four lots may be served by a vehicular accessway.
ADOPTED COMPREHENSIVE LAND USE PLAN	The combined future land-use policy guidance provided by the adopted comprehensive plan, area plans prepared for specific parts of the County, and system plans related to the County's infrastructure systems.
AFFECTED PARTY	Owners of land adjoining the land subject to an application and any other person who could suffer an adverse effect to a property interest from a proposed development.
AGGRIEVED PARTY	A person, with a legally recognized interest (i.e., fee simple ownership) and standing to appeal, that is injuriously affected by a decision from any decision-making body of the County, including any officer or agent of the County.
APPEAL	A request for review of an administrative official's or review authority's determination or decision made under this Ordinance.
APPLICANT	A person who has submitted a development application for review under applicable provisions of this Ordinance.
APPLICATION	The form or forms and all accompanying documents, exhibits, and fees required of an applicant by the appropriate County department or board as part of the development review processes.
ASSESSED VALUE	The monetary value of land or land and a building assigned by the Moore County Tax Appraiser for the purposes of computing the property's annual tax burden.
AUTHORIZED AGENT	A person with express written consent to act upon another's behalf.
B	
BEST MANAGEMENT PRACTICES (BMP)	Best Management Practices (BMPs). A structural or nonstructural management-based practice used singularly or in combination to reduce nonpoint source inputs to receiving waters in order to achieve water quality protection goals.
BONA FIDE FARM	Any tract or tracts of land used for farm purposes as defined in NCGS Section 160D-930, including the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in NCGS Section 106-581.1. In addition, the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness

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	<p>Grows in North Carolina" product that is produced on a farm subject to a conservation agreement under NCGS Section 106-743.2 is a bona fide farm purpose. Any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:</p> <ol style="list-style-type: none"> 1. A farm sales tax exemption certificate issued by the Department of Revenue; 2. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to NCGS Section 105-277.3; 3. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return; and 4. A forest management plan.
BUILDING	Any structure used or intended for supporting or sheltering any use or occupancy. "Building" includes the term structure (see definition) of every kind, including but not limited to decks, gazebos, retaining walls (greater than 4 feet), swimming pools (see Specific Use Standards) etc., with the exception of except fences and walls, regardless of similarity to buildings. The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.
BUILDING FLOOR AREA	The gross floor area of an individual structure built for support, shelter or enclosure for any occupancy or storage.
BUILDING HEIGHT	The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the building. Spires, cupolas, chimneys, antennae attached to a building, and/or projections from buildings, radios, TV, communications, telecommunication, and water towers are not to be included in the calculations of building height.
BUILT-UPON AREA	<p>Per NCGS 143-214.7(b2), built-upon area means impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. "Built-upon area" does not include a slatted deck; the water area of a swimming pool; a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric; or a trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour), or landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle; or artificial turf, manufactured to allow water to drain through the backing of the turf and installed according to the manufacturer's specifications over a pervious surface. The owner or developer of a property may opt out of any of the exemptions from "built-upon area" set in this definition.</p>
	C
CERTIFICATE OF OCCUPANCY	Official certification that a premise conforms to provisions of this Ordinance (and State Building Code) and may be used or occupied.

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TERM	DEFINITION
CERTIORARI	A situation where an appellant may file an appeal of a decision directly to a higher court of law.
CHANGE OF USE	A change from one use in the Table of Uses to another or the addition or expansion of a new use or an existing use of a building and/or lot.
CHANGEABLE COPY	Text or other depictions on the face of a sign that are capable of being revised on a regular or infrequent basis.
CITATION	A formal notice to a person that he or she is charged with a violation of this Ordinance, and that penalty is due.
CIVIL ACTION	A legal action at law brought between a private party(ies) and the County to protect a civil right or to compel a civil remedy (as opposed to criminal prosecution).
CIVIL PENALTY	A fine or other financial penalty imposed by a court, the County, or another governmental entity as restitution for violation of this Ordinance or other wrongdoing.
CLOSE FAMILIAL RELATIONSHIP	The relationship with a spouse, parent, child, brother, sister, grandparent, or grandchild, including step, half, and in-law relationships.
CLUSTER MAILBOX UNIT	A centralized grouping of individually locked and keyed mailboxes meeting the specifications of the United States Postal Service.
COMMON AREA	Land within a subdivision or development that is owned in common by two or more residents or property owners. Common area may or may not be open to use by members of the general public.
COMMON LAW VESTED RIGHT	Legal doctrine that recognizes where property owners have reasonably made a substantial expenditure of money, time, labor or energy in a good faith reliance on a permit from the government, that they acquire “vested rights” or a protected right to complete the development of their land as originally begun despite any changes in the zoning on the property.
COMPLETE APPLICATION	An application filed for development approval under this Ordinance that meets all the requirements in Section 10.5.F, Determination of Application Completeness, including: 1. Contains all information and materials established by the Administrator as required for submittal of the particular type of application; 2. Is in the form established by the Zoning Administrator as required for submittal of the particular type of application; 3. Includes information in sufficient detail to evaluate the application to determine whether it complies with the appropriate review standards of this Ordinance; and 4. Is accompanied by the fee established for the particular type of application. An application will not be accepted for review until it is complete.
COMPLETENESS DETERMINATION	The process of determining if an application for a development approval is or is not complete. An application for development is not considered as “submitted” until it is determined to be complete.
COMPLETION OF CONSTRUCTION OR DEVELOPMENT	No further land-disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent ground cover.

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COMPLIANCE GUARANTEE	A performance guarantee provided by a party responsible for correcting a violation of this Ordinance that the County may use to correct the violation in the event the responsible party fails to.
COMPREHENSIVE PLAN	A comprehensive plan that has been officially adopted by the Board of County Commissioners in accordance with Section 160D-501.
CONDITION OF APPROVAL	A limitation or stipulation on the range of allowable uses, density, intensity, configuration, or operational parameters of new development or redevelopment. A condition may be proposed by an applicant, a staff member, or a review authority that must be accepted by an applicant in writing and the County to become binding.
CONSTRUCTION	Architectural design, site configuration, or building materials or colors that are compatible, accordant, or harmonious with one another or with similar features in other developments in the general vicinity.
CONTIGUOUS	Abutting directly or immediately adjacent to a boundary or separated only by a street, railroad or public utility right-of-way.
CONTINUANCE	The adjournment or postponement of review or decision on an application to specified future date.
COURT-ORDERED SUBDIVISION	The division of land between two or more parties as ordered as part of a settlement imposed by the judicial system.
COVENANT	A binding written agreement between two or more private parties regarding the use, occupancy, or configuration of development that runs with the land.
	D
DEDICATION	A gift, by the owner, or a right to use land for a specified purpose or purposes. Because a transfer of property rights is entailed, dedication must be made by written instrument, and is completed with an acceptance.
DEED RESTRICTION	A written private agreement that restricts the use, occupancy, or configuration placed upon the title of real estate often by the developer.
DENSITY	The number of families, persons, housing units, or buildings per unit of land.
DETERMINATION	A written interpretation prepared by the Zoning Administrator or a designee that explains the meaning or intent of standard in this Ordinance, the location of a boundary on the Official Zoning Map, or the requirements of a development approval.
DEVELOPER	A person engaging in land, site, or building development.
DEVELOPMENT	Development means any of the following: <ul style="list-style-type: none"> • The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure; • Excavation, grading, filling, clearing, or alteration of land; • The subdivision of land, as defined in NCGS Section 160D-802; or • The initiation or substantial change in the use of land or the intensity of the use of land.
DEVELOPMENT PERMIT	An administrative or quasi-judicial approval that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal, including any of the following: <ol style="list-style-type: none"> a. Zoning permits.

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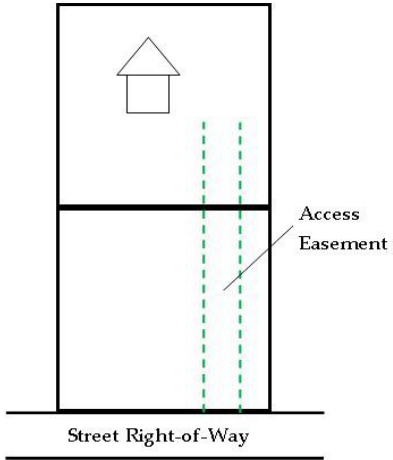
TERM	DEFINITION
	<ul style="list-style-type: none"> b. Site plan approvals. c. Special use permits. d. Variances. e. Certificates of appropriateness. f. Plat approvals. g. Development agreements. h. Building permits. i. Subdivision of land. j. State agency permits for development. k. Driveway permits. l. Erosion and sedimentation control permits. m. Sign permits.
DISPERSED FLOW	Uniform shallow flow that is conveyed to a vegetated filter strip (as defined in 15A NCAC 2H .1059), another vegetated area, or stormwater control measure. The purpose of “dispersed flow” is to remove pollutants through infiltration and setline, as well as to reduce erosion prior to stormwater reaching surface waters.
DRIVEWAY	<p>A private strip of land located on a parcel used for vehicle access. A driveway may be located on the principal building’s lot and may also be located through an access easement. Driveways are not street rights-of-way.</p> 
DWELLING UNIT	Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses or appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured home, mobile home, or recreational vehicle if used solely for a seasonal vacation purpose.
	E
EASEMENT	A right given by the owner of land to another party for specific limited use of that land. For example, a property owner may give an easement on his property to allow utility facilities like power lines or pipelines, to allow light to reach a neighbor’s windows, or to allow access to another property. In no case shall an easement be construed to mean a street right-of-way.
ELIGIBLE FACILITY REQUEST	An application for the installation of new or replacement antennas and related wireless telecommunications equipment on an existing telecommunications tower. An eligible facilities request may include increasing the height and/or

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TERM	DEFINITION
	replacement of an existing telecommunications tower but shall not include any activities that constitute a “substantial modification” as defined in this Ordinance and Section NCGS 160D-931. Eligible facility requests are reviewed and decided in accordance with the procedures for a minor collocation.
ENCROACHMENT	The location of a building, structure, or portion of a building or structure in an open space, setback, yard, required landscape area, buffer, or other area typically required to remain free of buildings or structures.
ENLARGEMENT	Increasing the floorplate, footprint, or square footage of a building, structure, outdoor use area, or activity.
EQUITABLE REMEDY	A court-ordered non-monetary remedy that directs a party to take a particular action for violation of this Ordinance or other applicable law.
EROSION	The wearing away of land surface by the action of wind, water, gravity, or any combination thereof.
EROSION CONTROL MEASURE	A device which controls the soil material within the land area under responsible control of the person conducting a land-disturbing activity.
EX PARTE COMMUNICATION	Any communication between a member of a review authority and a person involved in a development application that is made without the presence or knowledge of the other members of the same review authority.
EXEMPTION	A use, site feature, or development condition that is exempted authorized to deviate from otherwise applicable requirements.
	F
FAMILY	One or more persons occupying a dwelling unit and living as a single household.
FEE	An amount charged in accordance with the regularly adopted fee schedule of the County.
FILED APPLICATION	An application for development approval under this Ordinance that has not been delivered to the County but not yet determined to be complete.
FINAL PLAT	A plan or drawing recorded in the office of the register of deeds that identifies the metes and bounds as well as all applicable conditions applied to a lot or group of lots that have been subdivided.
FRONTAGE	A strip or extent of land abutting and extending along a street.
FUTURE LAND USE MAP	A portion of the County’s Adopted Comprehensive Land Use Plan that identifies the desired long term uses of all land within the County’s planning area. The future land use map is typically a part of the comprehensive plan.
	G
GENERAL STATUTES	A statute is a written law passed the General Assembly that sets forth general propositions of law that courts apply to specific situations.
GOOD CAUSE	Legally adequate or substantial grounds or reason to take a certain action based upon the circumstances of each individual case.
GOOD FAITH	A sincere belief or motive without any malice or the desire to defraud others or conceal the truth.
GROUND BASED MECHANICAL EQUIPMENT	Utility or other equipment of a mechanical nature that is mounted on or below grade on the site it serves.
GROUND COVER	Any natural vegetative growth or other material that renders the soil surface stable against accelerated erosion.

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TERM	DEFINITION
GUYED TOWER	A communication tower that is supported, in whole or in part, by guy wires and ground anchors.
	H
HABITABLE SPACE	A space in a building for living, sleeping, eating or cooking, or used as a home occupation.
HARDSHIP	Special or specified circumstances that place an unreasonable or disproportionate burden on one applicant or landowner over another.
	I
IMPERVIOUS SURFACE AREA	A surface covered by buildings, concrete, asphalt, or brick, gravel roads, patios, and driveways, or other materials which does not readily absorb water.
IMPROVEMENT	The construction of buildings and the establishment of basic services and amenities associated with development, including, but not limited to streets and sidewalks, parking areas, water and sewer systems, drainage system, property markers and monuments, recreation facilities (i.e., lakes, swimming pools, tennis courts, golf courses, club houses, cabanas, marinas, docks and the like) and other similar construction or establishment.
INJUNCTIVE RELIEF	A court-order act or inhibition of an act by a violator granted to the County or other governmental agency for a violation of this Ordinance or other applicable law.
IN-LIEU FEE	Monetary compensation offered by a landowner or applicant as an alternative to provision of some other required site or development feature.
INOPERATIVE VEHICLE	Any vehicle, designed to be self-propelled on land, which by virtue of broken or missing component parts, is no longer capable of self-propulsion. For the purpose of this Ordinance, any vehicle that is registered with the North Carolina Division of Motor Vehicles and has a current North Carolina motor vehicle registration license affixed to it shall not be considered inoperative.
INTERMITTENT STREAM	A well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the water table. The flow may be heavily supplemented by stormwater runoff. An intermittent stream often lacks the biological and hydrological characteristics commonly associated with the conveyance of water.
INVASIVE SPECIES	A plant species identified as noxious or dangerous by the County or other governmental agency.
	J
	K
	L
LAND DEVELOPMENT REGULATION	Land development regulation is defined to be any State statute, rule, or regulation, or local ordinance affecting the development or use of real property, including any of the following: <ol style="list-style-type: none"> Unified development ordinance. Zoning regulation, including zoning maps. Subdivision regulation. Erosion and sedimentation control regulation. Floodplain or flood damage prevention regulation. Mountain ridge protection regulation.

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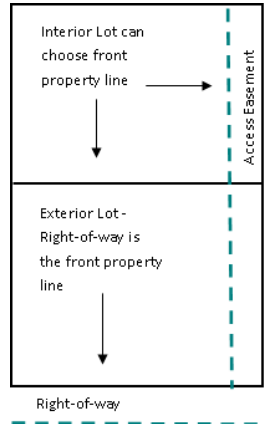
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	<p>g. Storm water control regulation.</p> <p>h. Wireless telecommunication facility regulation.</p> <p>i. Historic preservation or landmark regulation.</p> <p>j. Housing code.</p> <p>k. North Carolina State Building Code enforcement.</p>
LAND-DISTURBING ACTIVITY	Any use of the land by any person in residential, industrial, educational, institutional, or commercial development, highway and road construction and maintenance, that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.
LANDOWNER	As applied to the standards related to vested rights, an owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and personal representative of the owner.
LATTICE TOWER	A guyed or self-supporting, open, steel frame structure, with three or more sides, that is used to support telecommunications equipment.
LEGISLATIVE PUBLIC HEARING	A hearing held for the purpose of soliciting public comments on a proposed change in the zoning text or zoning map. Reasonable time limits on speakers may be imposed and responsible decorum maintained. However, unlike quasi-judicial hearings, there is no requirement for oaths, no limits on expression of personal opinions, and no limit on discussing the matter outside the context of the hearing.
LOT	A parcel of land occupied, or intended for occupancy, by a use, including one or more main buildings, accessory buildings, open space, and parking spaces as required by this Ordinance.
LOT LINE, FRONT	<p>That part of the lot adjacent to the street right-of-way line or its land access easement. When an exterior lot fronts a street right-of-way and fronts its access easement the right-of-way is the front property line. When an interior lot is in close vicinity to a street right-of-way and fronts its access easement the property owner shall have the option to choose the front lot line.</p> 
LOT LINES	The property lines bounding a lot. Where a lot of record includes a right-of-way, the lot lines are presumed not to extend into the right-of-way.
LOT OF RECORD, NONCONFORMING.	A lot, the area, dimensions, or location of which was duly recorded pursuant to statute in the Office of Register of Deeds, lawfully existing at the effective date of this ordinance or prior freestanding zoning and subdivision ordinances that cannot meet the minimum size and/or lot width requirements of the district in which the lot is located.
LOT, WIDTH	The straight line distance between the two side lot lines, measured at the front building setback line.
	M

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MAINTENANCE, ROUTINE	Simple, small-scale activities (usually requiring only minimal skills or training) associated with regular (daily, weekly, monthly, etc.), recurring, and preventative upkeep of a building, equipment, or machine against normal wear and tear.
MAJOR VARIANCE	As used in the Watershed Overlay district, a variance from the minimum statewide watershed protection rules that results in any one or more of the following: <ul style="list-style-type: none"> • The relaxation by a factor greater than ten percent of any management requirement under the low-density option; • The relaxation by a factor greater than five percent of any buffer, density, or built-upon area requirement under the high-density option; or • Any variation in the design, maintenance, or operation requirements of a wet detention pond or other approved stormwater management system.
MANUFACTURED HOME	A factory-built structure, transportable in one or more sections, that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. This includes any structure with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.), as amended. This does not include recreation vehicles.
MANUFACTURED HOME CLASS A	A manufactured home that is commonly referred to as a “double-wide” home, or one that is brought to its site in two or more separate parts of at least 10 feet in width and assembled on a single foundation.
MANUFACTURED HOME CLASS B	A manufactured home that is commonly referred to as a “single-wide” home that is comprised of a single structure approximately 12 feet in width or less and placed on a single foundation.
MANUFACTURED HOME CLASS C	A manufactured home that does not meet the federal HUD standards.
MAXIMUM EXTENT PRACTICABLE	No feasible or practical alternative exists, as determined by the County, and all possible efforts to comply with the standards or regulation to minimize potential harmful or adverse impacts have been undertaken by an applicant. Economic considerations may be taken into account but shall not be the overriding factor determining “maximum extent practicable.”
MINOR VARIANCE	As used in the Watershed Overlay district, a variance from the minimum statewide watershed protection rules that results in the relaxation by a factor of up to five percent of any buffer or the relaxation by a factor of up to 10 percent of any management requirement under the low-density option.
MOBILE FOOD VENDOR	A motor vehicle or a food trailer towed by another vehicle that is designed and equipped to sell food and/or beverages directly to consumers.
MODIFICATION, MINOR	A change, revision, addition, or deletion to a development approval of a de minimum or small nature that does not impact the basic configuration or operation of development.
MONOPOLE TOWER	A communication tower consisting of a single pole, constructed without guy wires and ground anchors.

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MONUMENT	A permanent marker, typically inserted into the ground, showing the location of a lot line, lot corner, or other demarcation associated with a lot or right-of-way.
	N
NATIVE VEGETATION	Plants that are endemic or naturally occurring within a specified area.
NONCONFORMING LOT OF RECORD	<p>A lot of record that that was lawful at the date on which it was established but does not conform to the current dimensional requirements of the zoning district in which it is located.</p> <p>As used in the Watershed Protection Overlay district, a lot described by a plat or a deed that was recorded prior to the effective date of local watershed protection regulations (or their amendments) that does not meet the minimum lot size or other development requirements of the statewide watershed protection rules.</p>
NONCONFORMING SIGN	Any sign that was lawfully established but does not meet the standards of this Ordinance.
NONCONFORMING SITE (SITE FEATURE)	Parking, landscaping, exterior lighting, screening, or fences or walls located on a development site that do not comply with the minimum requirements of this Ordinance.
NONCONFORMING STRUCTURE	A structure that was lawful on the date on which it was established, but does not conform to current dimensional, elevation, location, or other requirements of this Ordinance.
NONCONFORMING USE	A use type which was lawful on the date on which it was established but is now no longer a permitted use of that lot, building, or structure under this Ordinance. A use that when established did not require a special use permit, but now requires a special use permit shall be considered a nonconforming use until special use permit approval is obtained.
NONCONFORMITY	A use, building, site, sign, or site feature that does not comply with the minimum requirements of this Ordinance or other applicable County law.
NORTH CAROLINA ADMINISTRATIVE CODE	A set of written rules prepared by the North Carolina Department of Health and Human Services that are used to help affected parties interpret the North Carolina General Statutes.
NOTICE OF PUBLIC HEARING	The formal legal notification of a public hearing on a proposed development application. A "published notice" is one required to be printed in a newspaper of general circulation. A "mailed notice" is one delivered to specified individuals by US Mail. A "posted notice" is a sign posted on or near the property subject to the application.
NOTICE OF VIOLATION	A notice indicating a violation of this Ordinance.
NUISANCE	Anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons
	O
OATH	The term "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in like cases the terms "swear" and "sworn" shall be equivalent to the terms "affirm" and "affirmed."

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TERM	DEFINITION
OCCUPY OR OCCUPANCY	The act, state, or condition of holding, possessing, residing, or otherwise using a premise, lot, site, building, or dwelling.
OFFICIAL MAPS OR PLANS	Any maps or plans officially adopted by the Moore County Board of County Commissioners as a guide to the development of the Official Zoning Map.
OFFICIAL ZONING MAP	The Official Zoning Map upon which the boundaries of various zoning districts are drawn, and which is an integral part of this Ordinance.
OFF-STREET LOADING SPACE	An area provided for the purpose of loading and unloading goods or materials for use.
OFF-STREET PARKING SPACE	An area designated for the temporary storage of one vehicle.
ON-CENTER SPACING	Placement of landscape material in a regularly spaced pattern of equal distance between plants.
OPEN SPACE	Those areas set aside and protected from development which may be left in a generally unimproved state.
OPEN SPACE, ACTIVE	Land set aside for the residents or a development and under common ownership that is configured for active forms of recreation. Active open space typically includes playgrounds, athletic fields and courts, and similar features devoted to movement, activity, or sports pursuits.
OPEN SPACE, PASSIVE	Land set aside for the residents or a development and under common ownership that is configured for active forms of recreation. Active open space typically includes playgrounds, athletic fields and courts, and similar features devoted to movement, activity, or sports pursuits.
OWNER	The legal or beneficial owner of land, including but not limited to a mortgagee or vendee in possession, receiver, executor, trustee, or long-term or commercial lessee, or any other person or entity holding proprietary rights in the property or having legal power of management and control of the property. "Owner" shall include long-term commercial tenants; management entities, such as those charged with or engaged in the management of properties for profit; and every person or entity having joint ownership of the property. A secured lender not in possession of the property does not constitute an owner, unless the secured lender is included within the meaning of "owner" under another description in this definition, such as a management entity.
OWNERS' ASSOCIATION	An organization of homeowners or property owners of lots or land in a particular subdivision, condominium, or planned development. The owners' association is responsible for maintaining and enhancing the shared private infrastructure (e.g., stormwater, streets, and sidewalks) and common elements such as recreation areas.
P	
PARENT ENTITY	An affiliate that directly, or indirectly through one or more intermediaries, controls another person.
PARENT PARCEL	A tract of land further subdivided into one or more additional lots.
PENALTY	Punishment for violation of a law or rule.
PERENNIAL STREAM	A well-defined channel that contains water year-round during a year with normal rainfall. Groundwater is the primary source of water, but they also carry stormwater. They exhibit the typical biological, hydrological, and physical

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TERM	DEFINITION
	characteristics commonly associated with the continuous conveyance of water. These features are regulated by NC DWR and typically regulated by the U.S. Army Corps of Engineers.
PERFORMANCE GUARANTEE	Cash or other guarantee provided by an applicant in-lieu of completion of public infrastructure or installation of required private site features prior to issuance of a building permit or other development approval.
PERIPHERAL BUFFER	Area encompassing the outermost extent of the development.
PERMIT	The approval document allowing land disturbing activities to be initiated. A project may be developed in phases with separate permits for each phase.
PERSON	Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, or other legal entity.
PHASE	The discrete portion of a proposed development.
PLAN, AS-BUILT	A set of engineering or site drawings that delineate the specific permitted development like forms of public infrastructure, as actually constructed.
PLAN, CONCEPT	A generalized or conceptual plan for development intended solely for illustrative purposes to assist a review authority in its consideration of a proposed development. A concept plan may, but does not necessarily need to include, the detailed elements typically found in a site plan (for example, detailed locations of buildings, location of off-street parking, location of landscaping, etc.).
PLAN, CONSTRUCTION	Drawing and specifications prepared by a qualified person showing buildings, structures, utilities, infrastructures, and site configuration aspects associated with development. Construction plans are most commonly associated with infrastructure such as streets, water, sewer, stormwater management, or drainage facilities.
PLAN, PLOT	A simple plan or sketch that may or may not be prepared by a professional that denotes the proposed development of a site. A plot plan is prepared to scale.
PLAN, SITE	A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include, but is not limited to, site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, and stormwater control facilities, that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review.
PLANNING JURISDICTION	The land area subject to this Ordinance, excluding land area within corporate limits or extraterritorial jurisdictions, land subject to a pending application for voluntary annexation, or any land subject to an agreement between the County and other governmental entity that extends planning control to that governmental entity.
PLAT	
POST-CONSTRUCTION STORMWATER	A permit obtained from the North Carolina Department of Environmental Quality Department of Energy, Mineral, and Land Resources to minimize the impact of stormwater runoff from development on the water quality of surface

TABLE OF DEFINITIONS	
TERM	DEFINITION
MANAGEMENT PERMIT	waters and to protect their designated best usages in High Quality Watersheds (HQW) and Outstanding Resource Waters (ORW).
PRE-APPLICATION CONFERENCE	A meeting or conference conducted by a potential applicant for a permit or development approval and County staff for the purposes of discussing a potential application or County rules regarding development.
PRINCIPAL BUILDING OR STRUCTURE	A building or structure in which the primary use of the lot on which the building or structure is located is conducted.
PROFESSIONAL ENGINEER	An expert knowledgeable in civil engineering, architecture, traffic management, stormwater management, or construction licensed by the State of North Carolina to provide design and construction services for development.
PROFESSIONAL LAND SURVEYOR	An expert knowledgeable in the delineation and demarcation of lot lines, land ownership, grading, and similar aspects licensed by the State of North Carolina to provide design and construction services for development.
PROFESSIONAL LANDSCAPE ARCHITECT	An expert knowledgeable in plants, planting techniques stormwater management, outdoor structural design, and similar aspects licensed by the State of North Carolina to provide design and construction services for development.
PUBLIC HEARING	A hearing conducted by a review authority for the purpose of allowing interested members of the public to provide testimony or evidence for the review authority to consider in deciding an application under this Ordinance. A public hearing is required to be publicly noticed prior to conducting the hearing.
PUBLIC INFRASTRUCTURE	Infrastructure (such as potable water lines, sanitary sewer lines, streets, storm drainage, sidewalks, trails, etc.) and related facilities or appurtenances that are owned by the public and intended for use by the public.
PUBLIC MEETING	A meeting conducted by a review authority for the consideration of a development application submitted under this Ordinance that is open to any member of the public to attend. A public meeting is not subject to public notification requirements.
PUBLIC WATER OR SEWER	A water or wastewater sewerage system which is owned by any unit of government designed to serve uses locating along existing lines or within the service area of the system, should additional collection lines be constructed
	Q
QUASI-JUDICIAL DECISION	A decision by an elected or appointed body that applies previously established policies. Examples include decisions on appeals and variances.
QUASI-JUDICIAL PUBLIC HEARING	A formal public hearing involving the legal rights of specific parties conducted by the Board of Commissioners or the Board of Adjustment based on evidence and sworn testimony presented during the public hearing. Decisions made during such hearings are based upon and supported by the record developed at the hearing, and typically involve findings of fact made by review authority.
QUORUM	The minimum number of review authority members that must be present in order to conduct official business or take official action.
	R
REASONABLE ACCOMMODATION	Any change or adjustment to a provision of this Ordinance or condition of approval that would allow an individual with a disability to enjoy equal access to a dwelling, structure or site that is available to other individuals.

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TERM	DEFINITION
RECOMBINATION	The consolidation or shifting of lot lines between two or more parcels.
RECORDATION	Filing a plat or paperwork associated with a subdivision or other form of development at the Moore County Register of Deeds to ensure the documents are available for public inspection in perpetuity.
RECREATIONAL VEHICLE (RV)	A vehicle, built on a single chassis containing 400 square feet or less when measured at the largest horizontal projection and designed to be self-propelled or permanently towable by another vehicle. An RV is not designed or intended for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use. This definition includes vehicles such as travel trailers, motor homes, and campers.
REMEDY	The manner in which a right or law is enforced or satisfied when a violation of this Ordinance or related law has occurred.
REMEDY A VIOLATION	An act to bring the structure or other development into compliance with State or community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impact may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this section or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.
REQUIRED YARD	The land area located between a lot line and the boundary of a required setback.
RESERVATION	An obligation, shown on a subdivision or site plan, to keep land free from development and available for public acquisition for a stated period of time.
RESERVE STRIPS	Strips of land that are not developed as a means of limiting or preventing vehicular access.
RESIDUAL OR PARENT ACREAGE	A piece, parcel, tract, lot, or plot of land that is left after a subdivision occurs.
REVIEW AUTHORITY	The Administrator, Planning Director, Planning Board, Board of Adjustment, or Board of County Commissioners, as appropriate.
RIGHT-OF-WAY	An area of land not on a lot that is dedicated for public or private use to accommodate a transportation system (street right-of-way) or necessary public utility infrastructure. In no case shall a street right-of-way be construed to mean an access easement.
	S
SETBACK	The required minimum distance between every building, measured from the furthest point of the building (such as eaves, deck) from all property lines and/or right of way lines of the lot on which it is located. Setbacks are not required from easement lines. (This does not include utility easements.) Fire escapes, awnings, stairways, steps, ramps, stoops, sills, ornamental features, balconies, decks, carports, whether enclosed or unenclosed, and similar items shall be considered as a part of the main building and shall not project into the required yard (unless as an exception in accordance with Section 5.1.E – Measurements and Exceptions). Setbacks shall be measured to the body or box of the manufactured home and not to the pull structure or hitch on the end of the home.


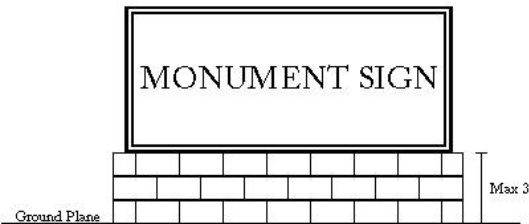

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TERM	DEFINITION
SIGHT DISTANCE TRIANGLE	The triangular area formed by a diagonal line connecting two points located at designated locations on intersecting right-of-way lines or a right-of-way line and the curb or a driveway.
SIGN	Any words, lettering figures, numerals, emblems, devices, trademarks, or trade names, or any combination thereof, by which anything is made known and which are visible from any right-of-way and is used to attract attention.
SIGN, FREESTANDING	<p>A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure having a principal function other than the support of a sign.</p> 
SIGN, MONUMENT	<p>A freestanding sign where the base of the sign is on the ground and is supported by solid structural features other than support poles.</p> 
SIGN, MULTI-TENANT	A sign located at the entrance to a multi-tenant / shopping center in single ownership or under unified control that advertise only the name and location of such center and the name and type of businesses of one or more occupants thereof. Individual tenants of a multi-tenant / shopping center are not permitted a freestanding sign of any kind. Individual tenant wall signs are permitted based on the maximum sign area.
SIGN, OFF-PREMISE ADVERTISING	A sign, not including billboards, that advertises a business, institution, or industry (including home occupations) on a premise other than the premise on which the business or industry (including home occupations) is located.
SIGN, OFF-PREMISES (BILLBOARD)	A sign which directs attention to a business, commodity, service, entertainment, or other message not conducted, sold, or offered on the premises where such sign is located.
SIGN, POLE	<p>A type of freestanding sign supported by one or two poles or masts.</p> 

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TERM	DEFINITION
SIGN, WALL	A sign attached to a wall and not projecting away from the wall more than 12 inches.
SIMPLE MAJORITY	More than half of the voting members of a review authority deciding an application under this Ordinance.
SPECIAL USE PERMIT	A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with any applicable specific standards.
STAGING AREA	A location where vehicles, equipment, or material are assembled for the purpose of transporting the assembled vehicles, equipment, or material to another location.
STANDING	The legal right or authority to initiate or participate in legal proceedings based upon a sufficient level of connection or potential harm from a decision or activity.
STATE BUILDING CODE	A series of ordinances enacted by North Carolina that establish the minimum requirements that must be met in the construction and maintenance of buildings for the purpose of safety and sanitation.
STOP WORK ORDER	An order issued by the County to a landowner or developer to cease and desist all land-disturbing or development activity on a site pending resolution of a problem or conflict.
STORMWATER CONTROL MEASURES (SCMS)	Also known as “Best Management Practice” or “BMP” means a permanent structural device that is designed, constructed, and maintained to remove pollutants from stormwater runoff by promoting settling or filtration; or to mimic the natural hydrologic cycle by promoting infiltration, evapo-transpiration, post-filtration discharge, reuse of stormwater, or a combination thereof.
STORMWATER MANAGEMENT PLAN	The set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts, and techniques intended to maintain or restore quality of stormwater runoff to pre-development levels.
STREET	A public or private right-of-way including “road” or “highway.” In no case shall a street be construed to mean an access easement.
STREET, ARTERIAL	A street connecting widely separated areas and designed to carry a large volume of traffic which may be fast, heavy or both. Arterial streets are sometimes referred to as “major thoroughfares,” “freeways,” “expressways,” etc., and are usually numbered State or Federal Highways. Numbered State Secondary Roads are included in this definition.
STREET, MARGINAL ACCESS	A local street which parallels and is immediately adjacent to arterial streets, and which provides access to abutting properties and protection from through traffic.
STREET, PRIVATE	Any street right-of-way which is not publicly owned and maintained and is used for access by the occupants of the development, their guests, and the general public.
STREET, PUBLIC	Any street right-of-way which is publicly owned and maintained.

TABLE OF DEFINITIONS	
TERM	DEFINITION
STRUCTURAL ALTERATIONS	Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders, except for repair or replacement.
STRUCTURE	A walled and roofed building that is principally above ground, a gas or liquid storage tank, or other man-made facilities or infrastructure. For floodplain management purposes "principally above ground" means that at least 51% of the actual cash value of the structure is above ground.
SUBDIVIDER	Any person, firm or corporation who subdivides or develops any land deemed to be a subdivision as herein defined.
SUBDIVISION	The following is the statutory definition of "subdivision" which exempts certain categories from subdivision regulations. No subdivisions of land are exempt from the Watershed Protection Ordinance. All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all division of land involving the dedication of a new street or a change in existing streets. Remaining acreage from the parent tract must be surveyed when the remaining lot size is less than 3 times the minimum lot size of the zoning district. The remaining acreage must show that all dimensional criteria for the zoning district can be met, including minimum width and depth.
SUBDIVISION, EXEMPT	A division of land that is exempted from review and approval by the County in accordance with the North Carolina General Statutes.
SUBDIVISION, EXPEDITED	A subdivision of three or fewer lots comprised of more than five acres in accordance with NCGS Section 160D-802.
SUBSTANTIAL COMMENCEMENT	<p>The initiation of development or development-related activity subject to the requirements of this Ordinance. Each of the following activities must have taken place in order to achieve substantial commencement:</p> <ul style="list-style-type: none"> - All required authorizations to begin the development are secured; and - All application fees and applicable fines have been paid in full; and - Any required notice of commencement to all governmental entities or other identified parties has taken place; and - Performance of some form of site-related activity that requires prior approval from the County has taken place. <p>Initiation of site-related activity that does not require some form of approval from the County, such as surveying, site investigation, plan or study preparation, minor clearing or grubbing of the site, full or partial demolition, or agricultural related activity associated with a bona fide farm, shall not be considered as substantial commencement.</p>
SUPER MAJORITY	A situation where an affirmative vote on a development application requires more positive or supportive votes than a simple majority. Typically, a super majority requires an affirmative vote of at least four-fifths of the review authority members present and voting.
	T
TELECOM-MUNICATIONS FACILITIES, COLLOCATION	The placement, installation, modification, or replacement of antenna and related wireless telecommunications equipment on, under, or within an existing or replacement telecommunications tower, utility pole, building, or other vertical projection.

TABLE OF DEFINITIONS	
TERM	DEFINITION
TELECOM-MUNICATIONS FACILITIES, MAJOR	The construction or installation of a new telecommunications tower with a height of 30 feet or more above the adjacent pre-construction grade and associated equipment, including the equipment compound, access, electrical service, and other related facilities.
TELECOM-MUNICATIONS FACILITIES, MINOR	The construction or installation of a new telecommunications tower with a height of less than 30 feet above the adjacent pre-construction grade or that meets the definition of a concealed telecommunications tower.
TEMPORARY	Anything temporary is to exist less than six (6) months, unless otherwise specified by this Ordinance.
TEMPORARY WIRELESS COMMUNICATIONS FACILITY	A portable, self-contained wireless facility that provides wireless telecommunications services on a temporary or emergency basis. A temporary wireless facility may include a generator to provide power to the facility.
TRACT	All contiguous land and bodies of water being disturbed or to be disturbed as a unit, regardless of ownership.
TRAFFIC CONTROL SIGNAL	A mechanical device used to regulate the flow of vehicles, bicycles, or pedestrians along streets, sidewalks, and intersections.
TRANSITIONAL LIVING FACILITY	A residential single or multifamily structure or structures in which the residents are supervised and/or mentored but not provided with medical treatment, where the residents are not considered a danger to others, and where residents stay for not more than three years. Transitional living facilities provide education, supervision, and guidance and are intended to prepare residents for independent living.
	U
USE	Any continuing or repetitive occupation or activity taking place upon a parcel of land or within a building including, but not limited to; residential, manufacturing, retailing, offices, public services, recreational, and educational.
USE, NEW	Any purpose which has not before existed on said land or premises.
USE, NONCONFORMING	The use of a building, structure, or land that was valid when brought into existence but by subsequent regulation, does not conform to the use regulation of this Ordinance for the district in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments which may be incorporated.
USE, PRINCIPAL	The primary or predominant use of any land, lot, building, or structure.
	V
VARIANCE	A grant of relief from the requirements of this Ordinance in response to a hardship.
VEHICLE OR MOTOR VEHICLE	All machines designed or intended to travel over land by self-propulsion.
VESTED RIGHT	A right pursuant to NCGS Section 160D-102 to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan.
VEGETATED CONVEYANCE	A permanent, designed waterway lined with vegetation that is used to convey stormwater runoff at a non-erosive velocity within or away from a developed area.

TABLE OF DEFINITIONS	
TERM	DEFINITION
VIOLATION	A breach, infringement, or transgression of a law or requirement in this Ordinance or a permit or development approval.
	W
WIRELESS COMMUNICATIONS FACILITIES, SMALL	A wireless telecommunications facility consisting of an antenna and associated wireless telecommunications equipment installed on a utility pole, public utility pole, building, or other vertical projection not specifically intended for the accommodation of wireless telecommunications facilities (e.g., a traffic signal mast arm, a light standard, sign pole, etc.) that does not exceed the maximum size requirements for such facilities as listed in NCGS Section 160D-947.
	X
	Y
YARD, FRONT	An open space across the full width of the lot facing a street or access easement extending from the front lot line and nearest line of the building.
YARD, REAR	An open space extending across the full width of the lot and measured between the rear line of the lot and the rear line of the main building
YARD, SIDE	An open space on the same lot with a building, between the building and the side line of the lot, extending through, from the front building line, to the rear of the lot
	Z
ZONING	A police power measure, enacted primarily by general purpose units of local government, in which the community is divided into districts or zones within which permitted and conditional uses are established, as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within districts. The Unified Development Ordinance consists of two parts – a text and a map.
ZONING APPROVAL	The issuance of a zoning permit by Administrator indicating that a proposed building, structure, or use of land meets all of the standards, criteria, procedures, and requirements contained in this Ordinance.
ZONING DISTRICT, CONVENTIONAL	A designation or classification applied to certain lots or tracts as shown on the Official Zoning Map. Conventional zoning districts specify the broad range of allowable land use types permitted on lots or tracts within the particular district. The conventional zoning district standards also specify the applicable dimensional requirements for lots and buildings as well as any unique provisions that apply to solely lands in the particular district.
ZONING DISTRICT, OVERLAY	An indicator, found on the Official Zoning Map, of an additional set of applicable zoning-related provisions that apply to lands located within the overlay zoning district boundary. Overlay zoning district requirements are applied in addition to or instead of the underlying conventional zoning district requirements.